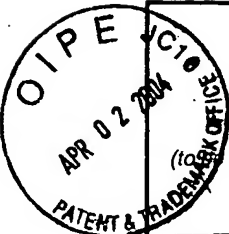


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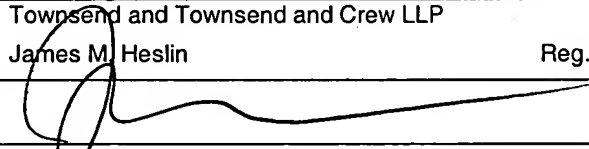
(To be used for all correspondence after initial filing)

	Application Number	10/765,380	
	Filing Date	January 26, 2004	
	First Named Inventor	PERKINS, RODNEY A.	
	Art Unit	Unassigned	
	Examiner Name	Unassigned	
Total Number of Pages in This Submission		Attorney Docket Number	017534-000740US

ENCLOSURES (Check all that apply)


<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard PTO/SB/08A & PTO/SB/08B
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Townsend and Townsend and Crew LLP James M. Heslin	Reg. No. 29,541
Signature		
Date	March 29, 2004	

CERTIFICATE OF TRANSMISSION/MAILING

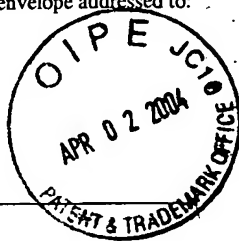
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PATENT
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On 3-30-04

TOWNSEND and TOWNSEND and CREW LLP

By: Edward Masinas
Edward Masinas

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

RODNEY A. PERKINS et al.

Application No.: 10/765,380

Filed: January 26, 2004

For: METHODS, SYSTEMS, AND KITS
FOR LUNG VOLUME REDUCTION

Examiner: Unassigned

Art Unit: Unassigned

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 09/898,703, filed July 2, 2001 (Attorney Docket No. 017534-000720US). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

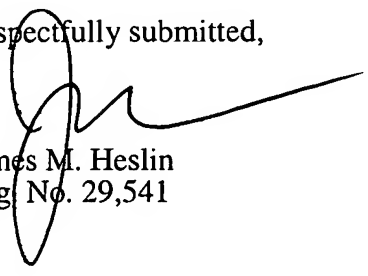
As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



James M. Heslin
Reg. No. 29,541

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60174518 v1



PTO/SB/08A (08-03)

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 3

Complete if Known

Application Number	10/765,380
Filing Date	January 26, 2004
First Named Inventor	PERKINS, RODNEY A.
Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	017534-000740US

U.S. PATENT DOCUMENTS+

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	1	3,322,126	05-30-1967	Rüsch et al.	
	2	3,498,286	03-03-1970	Polanyi et al.	
	3	3,669,098	06-13-1972	Takahashi	
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	40	5,642,730	07-01-1997	Baran	
	41	5,645,519	07-08-1997	Lee et al.	

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60174518 v1

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			Complete if Known		
			Application Number	10/765,380	
			Filing Date	January 26, 2004	
			First Named Inventor	PERKINS, RODNEY A.	
			Art Unit	Unassigned	
Examiner Name	Unassigned				
Sheet	2	of	3	Attorney Docket Number	017534-000740US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	42	5,653,231	08-05-1997	Bell	
	43	5,660,175	08-26-1997	Dayal	
	44	5,682,880	11-04-1997	Brain	
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	53	6,287,290	09-11-2001	Perkins et al.	
	54	6,493,589	12-10-2002	Medhkour et al.	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	55	WO	92/10971		09-07-1992			<input type="checkbox"/>
	56	WO	95/33506		12-14-1995			<input type="checkbox"/>
	57	WO	98/48706		05-11-1998			<input type="checkbox"/>
	58	WO	98/49191		05-11-1998			<input type="checkbox"/>
	59	WO	99/01076		01-14-1999			<input type="checkbox"/>
	60	WO	99/17827		04-15-1999			<input type="checkbox"/>

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Substitute for form 1449B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	10/765,380
				Filing Date	January 26, 2004
				First Named Inventor	PERKINS, RODNEY A.
				Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	3	of	3	Attorney Docket Number	017534-000740US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	61	Becker et al., "Lung volumes before and after lung volume reduction surgery," Am. J. Respir. Crit. Care Med., (1998) 157:1593-1599.	
	62	Bollinger et al., abstract, "Evaluation of high-risk lung resection candidates: pulmonary Haemodynamics versus exercise testing. A testing of five patients," Respiration, (1994) 61(4), pp. 181-186.	
	63	Clark Ojo et al., "Lung volume reduction surgery alters management of pulmonary nodules in patients with severe COPD," Chest, (1997) 112(6):1494-1500.	
	64	Coryllos and Birnbaum, "Studies in pulmonary gas absorption in bronchial obstruction. I. Two new methods for direct and indirect observation," Amer. J. Med. Sci., (1932) 183:317-326.	
	65	Coryllos and Birnbaum, "Studies in pulmonary gas absorption in bronchial obstruction. II. The behavior and absorption times of oxygen, carbon dioxide, nitrogen, hydrogen, helium, ethylene, nitrous oxide, ethyl chloride, and ether in the lung," Amer. J. Med. Sci., (1932) 183:326-347.	
	66	Coryllos and Birnbaum, "Studies in pulmonary gas absorption in bronchial obstruction. III. A theory of air absorption in atelectasis," Amer. J. Med. Sci., (1932) 183:347-359.	
	67	Criner et al., "Effect of lung volume reduction surgery on diaphragm strength," Am. J. Res. Crit. Care Med., (1998) 157:1578-1585.	
	68	Harada et al., "Re-expansion of refractory atelectasis using a bronchofiberscope with a balloon cuff," Chest, (1983) 84(6):725-728.	
	69	Kotloff et al., "Comparison of short-term functional outcomes following unilateral and bilateral lung volume reduction surgery," Chest, (1998) 113(4):890-895.	
	70	McKenna et al., abstract, "Patient selection criteria for lung volume reduction surgery," Journal of Thoracic and Cardiovascular Surgery, (1997) 114(6), pp. 957-964.	
	71	Melendez et al., Abstract, "Predictive respiratory complication quotient predicts pulmonary complication in thoracic surgical patients," (1998) 66(6), pp. 2164.	
	72	Sclafani, "Clearing the airways" AARC Times (1999) pp. 69-71, 97.	

Examiner Signature		Date Considered	
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